

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
EASTERN DIVISION**

**LORILLARD TOBACCO**

**COMPANY, et al.,**

**Plaintiffs,**

**v.**

**CHESTER, WILCOX, & SAXBE**

**LLP (individually and as defendant**

**class representative), et al.,**

**Defendants.**

**Case No. 2:04-cv-715**

**JUDGE EDMUND A. SARGUS, JR.**

**MAGISTRATE JUDGE MARK R. ABEL**


**ORDER**

This matter is before the Court on the following motions: (1) Motion for Summary Judgment (Doc. 345) of Defendant Deutsche Bank Trust Company Americas (“Deutsche Bank”), and Movants GP (FL) Funding II LLC, Maher (FL) Funding II LLC, BTHEMY (FL) Funding II LLC, FH (FL) Funding II LLC, and NCH (FL) Funding II LLC (collectively, the “Funding II LLCs”). The motion is opposed by the following Defendants: Brown, Terrell, Hogan, Ellis, McClamma & Yegelwel PA; Fonvielle, Hinkle, & Lewis PA; Gentry, Phillips & Hoadk PA; Maher, Gibson & Guilley PA; and Nance, Cacciatore, Sisseron, Duryea & Hamilton, PA (collectively, “Florida Counsel”); AND (2) Motion for Attorneys’ Fees and Expenses (Doc. 361) of GP (FL) Funding II, Lester G. Fant, III, Galway II, Inc., Galway T-1, LLC, and Galway Partners, LLC. The parties have requested that, in light of their ongoing settlement negotiations, the Court refrain from ruling on the above motions, pending the outcome of those negotiations. Given the lengthy period the parties have represented to the Court that they will need to fully explore settlement, the Court hereby **ORDERS** that the motions be **DENIED WITHOUT PREJUDICE** pending the outcome of the parties settlement discussions.

The parties shall be permitted to reactivate either or both motions upon simple notice to the Court. No motion shall be required to reactivate either or both motions, and no additional briefing shall be required.

**IT IS SO ORDERED.**

3-28-2011  
**DATED**

  
**EDMUND A. SARGUS, JR.**  
**UNITED STATES DISTRICT JUDGE**